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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CLAUDIA CARLSON and JOSHUA
HALL,

Plaintiff,

vs.

VICTORIA PARTNERS d/b/a MONTE
CARLO RESORT AND CASINO,

Defendant.

Case No. 2:13-cv-00378-JCM-PAL

**DEFENDANT'S OPPOSITION TO
PLAINTIFFS' MOTION FOR LEAVE TO
FILE EXCESS PAGES**

Apparently under the misimpression that more is better, Plaintiffs' Motion asks for permission to file an opposition brief well in excess of the limit specifically set forth in the Local Rules. Defendant Victoria Partners d/b/a Monte Carlo Resort and Casino (hereinafter "Defendant") hereby opposes Plaintiffs' Motion for Leave to File Excess Pages. Local Rule 56-1 requires that "[m]otions for summary judgment and responses thereto shall include a *concise* statement setting forth each fact material to the disposition of the motion, which the party claims is or is not genuinely in issue" LR 56-1 (*emphasis added*). Accordingly, Local Rule 7-4 limits the length of briefs in support of or in response to motion to thirty (30) pages. LR 7-4.

On June 26, 2014, Defendant moved for summary judgment in its favor on all of Plaintiffs' claims. (Dkt. 70). Defendant fully complied with the local rules by setting forth a *concise* statement of undisputed facts. Defendant further complied with the page limit set by the local rules by

1 ensuring its Motion for Summary Judgment was well less than 30 pages. As a professional courtesy,
 2 Defendant granted Plaintiffs a one week extension to file their response to Defendant's Motion for
 3 Summary Judgment. (Dkt. 73). Now Plaintiffs seek to extend the page limit of their response to an
 4 excessive 40 pages. (Dkt. 74). As demonstrated below, there is no basis for Plaintiffs' request to
 5 exceed the page limitations set forth by the Local Rules.

6 Defendant seeks summary judgment in its favor due to the legal deficiency of Plaintiffs'
 7 claims. There is nothing unique or complicated about the legal arguments at issue. Specifically,
 8 Defendant argues that Plaintiffs failed to exhaust their administrative remedies, failed to identify
 9 alleged unlawful conduct within the applicable statute of limitations, and failed to identify sufficient
 10 facts to establish *prima facie* claims for harassment and retaliation. Plaintiffs and their counsel
 11 apparently believe this Court and its staff don't have enough to do without expanding their brief by
 12 25% of what the Local Rules allow—an invitation to unnecessary and repetitive briefing on pretty
 13 simple issues.¹ Defendant respectfully requests that this Court deny Plaintiffs' Motion for Leave to
 14 File Excess Pages.

15 Dated: July 23, 2014

16
17
18 /s/

19 PATRICK H. HICKS, ESQ.
 20 SANDRA KETNER, ESQ.
 21 LITTLER MENDELSON, P.C.

22 Attorneys for Defendant
 23 VICTORIA PARTNERS dba
 24 MONTE CARLO RESORT AND CASINO

25
26
27 ¹ Defendant notes that LR 7-4 limits its reply brief in support of its Motion for Summary Judgment to twenty (20) pages.
 28 However, if Plaintiffs are permitted to file a forty (40) page response, Defendant will likely require additional pages (*i.e.*,
 up to 30 pages) to reply to Plaintiffs' excessively lengthy brief.

PROOF OF SERVICE

I am a resident of the State of Nevada, over the age of eighteen years, and not a party to the within action. My business address is 50 West Liberty Street, Suite 400, Reno, Nevada 89501. On July 23, 2014, I served the within document(s):

**DEFENDANT'S OPPOSITION TO PLAINTIFFS' MOTION FOR LEAVE TO FILE
EXCESS PAGES**

By CM/ECF Filing – Pursuant to FRCP 5(b)(3) and LR 5-4, the above-referenced document was electronically filed and served upon the parties listed below through the Court's Case Management and Electronic Case Filing (CM/ECF) system:

Law Offices of Robert Spretnak
Robert Spretnak, Esq.
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Law Offices of Joshua Friedman
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I am readily familiar with the firm's practice of collection and processing correspondence for mailing and for shipping via overnight delivery service. Under that practice it would be deposited with the U.S. Postal Service or if an overnight delivery service shipment, deposited in an overnight delivery service pick-up box or office on the same day with postage or fees thereon fully prepaid in the ordinary course of business. I declare under penalty of perjury that the foregoing is true and correct. Executed on July 23, 2014, at Reno, Nevada.

/s/

Esperansa Reinold

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